

1979

**COPY**

IN THE MATTER OF:

THE HUMAN RIGHTS ACT

- and -

IN THE MATTER OF:

Complaints by Janice Edith Miller, et al.

against

Board of Trustees, Digby Regional High School, a body corporate

On July 23, 1978 the Board of Inquiry filed a report in this matter, a copy of which is attached and marked with the letter "A".

In accordance with Article 7 of the Terms of Settlement, the Board of Inquiry had a preliminary meeting October 7, 1979 with the following persons to receive their verbal preliminary report of the progress made in the implementation of the terms of settlement.

Ms. Cherry Paris, the Supervisor of the West Region of the Human Rights Commission, Mrs. Ruth Schering-Hong, Mr. Ron Morrison and Ronald J. Downie, representing the teachers, Mr.

George Barton, Chairman of the School Board, Mr. George McCurdy, Director of the Nova Scotia Human Rights Commission and Hubert Johnson representing the Black Liaison Committee.

Following this meeting the Board of Inquiry requested the parties to the settlement to prepare evaluations in writing setting out the manner in which each perceived the implementation of the Terms of Settlement. Those evaluations were circulated to each of the parties.

The Board of Inquiry convened a meeting of the parties on March 12, 1980 to consider and analyze the respective evaluations and to hear the parties. Present at that meeting were Miss Linda Garber, Barrister representing the Complainants and the Human Rights Commission; Mr. Ronald J. Downie, Barrister representing the teachers of the Digby Regional High School; Mr. John Comeau representing the Digby Regional School Board, and as observers James W. Pyle representing the Minister of Education, the Reverend Donald E. Fairfax (moderator) representing the African United Baptist Association in the morning and Calvin Symonds (vice moderator) in the afternoon. Hubert Johnson represented the Black Liaison Committee and the Black Community of Digby, Brad Barton, Verna Skinner representing the Black Education Association.

In addition there were also present Ms. Cherry Paris, Mr. Ronald Morrison, Mrs. Ruth Schering-Hong and Mr. K. Jeganathan, Mr. Reginald Hazelton the Chairman of the School Board and Mr. Clint

McInnis, Superintendent of Schools. Mr. Haley was not represented or present at the meeting but his evaluation was considered in the discussion.

The Board of Inquiry examined the evaluations made of each Term of Settlement.

The first term reads:

"The School Board and the Commission shall convene immediately as possible a meeting between the complainants in this matter and the school administration (the principal two vice principals and the Superintendent of the School Board) and a similar meeting between the parents of black students in the school and the school administration."

A meeting was held on June 28, 1978 between the administration and the complainants. Several complainants raised specific incidents to which the administration replied, giving its version and as was to be expected nothing was finalized.

The Toronto Board Guidelines were introduced to the school administration and was accepted in principle by the administration who at the time made it clear that it had no authority to accept these guidelines for the School Board. In fact they were subsequently accepted by the Board.

At that meeting a tentative date was set for the summer tutorials and the names of the teachers were provided by the Board.

A second meeting was held between the same groups on July 4, 1978. The school principal was absent and the par<sup>1</sup>ents wanted a subsequent meeting upon his return. There was ongoing discussion of the parents complaints and the school's replies.

The parties met again on August 15, 1978.

One can write an endless detailed report spelling out complaints, answers and the like which would accomplish nothing. The crucial and positive result is the fact that the parties met and there was the beginning of meaningful communication between the administration and the Black Community. There were and still are great dissatisfactions with the administration by the community but it is trite to say that these would not be resolved or go away as the result of three meetings, it is the positive result which must be recognized and nourished and encouraged. This conclusion is supported by the evaluation made by the Human Rights Commission and the Board. To quote from the evaluation made by the School Board:

"These meetings, from the Board's View, were productive and cordial with considerable discussion of controversial items".

The second term of settlement reads:

"The School Board shall establish a liaison committee comprising three representatives from the Black communities of Digby, Acaciaville, Conway and three representatives from the White communities served by the Digby Regional High School, the Superintendent of

of Schools, the Principal of the School, a representative of the School Board and the Regional Supervisor of the Human Rights Commission and a teacher representative."

"The liaison committee shall meet on a regular basis and concern itself with implementation of this settlement proposal, maintenance and restoration of dialogue and communication with the community with particular emphasis on matters related to improvement of human rights in the school and in the community."

"In addition to the above the liaison committee shall monitor questions relating to name calling, graffiti and course streaming."

The Board was established and a number of meetings were held. Advertisements of meetings appeared in the Mirror on August 30, 1978, September 20 and in the Digby Courier August 31, 1978 and September 14, 1978 calling for persons willing and interested to serve on this committee.

Meetings were held November 21, 1978  
January 22, 1979  
February 27, 1979  
April 18, 1979  
May 28, 1979

and a meeting was called for March 26, 1979 which was postponed to a later date.

The attendance of the community representatives was disappointing. All the officials attended all of the meetings. Four of the ten community representatives attended less than half of the meeting. Two black representatives and one white representative attended all meetings.

The committee addressed itself to the implementation of settlement terms and in a limited way, dialogue was opened up.

During the school year there were a number of complaints of name calling and the graffiti was reduced, but was not wiped out.

This committee can and should be the principal vehicle to develop a healthy rapport between the Black Community and the School Board. It was not a total failure, but its degree of success was disappointing. The committee did agree on the concerns in the report of a meeting between the Black Students and the guidance counsellors as these concerns related to insufficient text books, a lack of lockers, use of the gym facilities and from the presentations made on March 12th, it appears that a number of these irritating problems have been overcome.

The Human Rights Commission in its evaluation on this item said:

"Combined representations from School Board, staff and union viewed as overpowering to representatives of the Black Community and not conducive to promoting harmony within the community. Perhaps liaison objectives should be sought through another form."

I have considered the mechanics used in other situations with considerable success and will later in this report make a recommendation for a format for such a permanent committee.

The third Term of Settlement reads:

"The Human Rights Commission, School Board, the Black Educators Association, the Digby local of the Nova Scotia Teachers Union in cooperation with the Nova Scotia Department of Education and resource people shall:

- a) coordinate eight hours of in-service training to be conducted over the first and second quarter of the 1978-79 school year and for all teachers and administrators of Digby Regional High School.
- b) coordinate sessions for parents of students in the school."

In October the School Board and the Department were discussing the approvals necessary for claiming teaching days for conference purposes under the Regulations of the Governor-in-Council and the agreement between the Nova Scotia Teachers Union and the Minister of Education. Because of these problems and the difficulty of finding days that would cause the minimum disruption the matter was deferred.

A committee composed of Mrs. Vivian O'Neil, the School Board Chairman, Mrs. Cherry Paris-Swan of the Human Rights Commission and Mrs. Ruth Schering-Hong of the Digby Local of the N.S.T.U. was charged with the responsibility of planning the in-service days. The committee met Dec. 9, 1978 to plan a program for January 3 & 4, 1979, the purpose of which was:

1. To enhance inter-group understanding and co-operation between Digby School officials, black parents, Digby High School students and the community in general and;
2. To develop trust and feeling of good will between Blacks, Whites, Teachers and parents for the future.

It proved impossible to have the in-service organized for the days planned. It was rescheduled for the first two days of school following the March break, March 19-20.

There were some differences and problems which are adverted to later in this report and the in-service was held on April 5-6.

Two sessions were held on April 5th. The theme of the first session was entitled "The Black Experience". Panelists were Dr. Leo Bentley and Dr. Carrie M. Best. The theme of the second session was entitled "Educational Experiences and the Black Community", the panelists were Mrs. Evelyn Miller, Mrs. Eleanor Elins, Mrs. Edith Cromwell, Mrs. Elso Barton, Messrs. Vernon Simms, Charles Francis and Hubert Johnson, Black residents of Digby County.

On April 6th there was one session. The theme was entitled "Experiences of Black Teachers in Nova Scotia Schools", the panelists were Prof. Seto Scott, P. A. Best, Gerald Clarke, Anna Lee Hunter, Mrs. Edith Cromwell (Bridgetown) and Mrs. Doris Evans. The film "Cosby on Prejudice" was screened and general discussion followed.

There were no co-ordinated sessions held for parents of the students of the school.

A summary of the program viewed by the Human Rights Commission in its report reads:



- "(iv) Both days there were exhibits relating to Black History - this included scrapbooks, photo albums, works of a Black artist, photographs of local Blacks of the community who have made contributions - their places of work - local Black businesses - the history of Black Churches and Black clergy in the area - Black Community Centres, a line map of the Black community, map drawing of the emigrations and immigrations of Blacks; photographs of the local Black school (Digby, Joggins or New Conway School); brief sketch of Black teachers in the area - Land Grant information; Nova Scotia Human Rights Commission Pictorial publication - A Black man's contribution of a water wheel used in the film 'Seven Shades of Pale'; a complete list of every Black household in the immediate local area served by Digby Regional High School; a brief history of the African United Baptist Association; other information contributed by individuals as well as repeated visits to Fort Anne; one Community's Family Tree, etc.
- (v) Purpose of the Themes - (a) Re: Black authors - to provide a historical background to the question of racism (b) Re: local Black panelists - to explain what it has meant to be a Black citizen in a Nova Scotia community and a Black student at Digby Regional High School (c) Re: Black teachers - discuss segregation, prejudice, discrimination, causes and effects of programs designed to break traditional barriers, etc.
- (vi) Purpose of exhibits - to focus attention on the history and contribution of Blacks to Nova Scotia and Digby in particular.

This session of April 5th and 6th was originally scheduled for March 19 and 20 and the arrangements excluded Dr. Best as a panelist. It was the view of the Teachers Union representative and the School Board representative that Dr. Best had already spoken to the School and in their view her participation as a panelist would add nothing new in the sense that her views had already been expressed. This position resulted in a refusal

by the other panelists to participate. The School Board reversed its decision and did apologize and Dr. Best did participate.

The in-service was to quote the Human Rights Commission "a limited success" opinions on its results, as was to be expected, were mixed. Some felt it was a worthwhile experience. Others felt differently. All must have become more acutely aware of the problem of racism and the feelings and concern of the Black Community.

The program was entirely directed to that and that alone. In discussing the results the parties agreed that any future in-service sessions the program would not be so intensely directed, but should contain an approach which would emphasize "Human Rights".

Item 4 of the settlement reads:

"Minority students must have role models within the education system, and seeing members of their group in responsible positions is the strongest incentive. 1-52-7 of the Graham Commission Report recognizes this fact and states as follows:

' Sustained effort should be made to encourage Black youths to become teachers or administrators in the public school system, both to serve as examples and encouragement to Black students and to assist in overcoming any special learning or adjustment problems faced by these students in the public schools.'

In recognition of these objectives, the Human Rights Commission will cooperate with and assist the School Board in the recruitment of Black teachers whenever vacancies occur on the teaching staff of the Regional

High School, it being agreed that the School Board, shall recruit a qualified Black teacher commencing the 1978-79 school year.

The parties are further agreed on the importance of continuing representation on the School Board from the Black community and of the importance of full involvement of Black students in the life, activities and organizations of students in the school."

The school enrollment is 830 more or less and there are or were in 78-79 school year, 35 black students. The teaching staff is 50. If one considers percentages there should be at least two black teachers in the school. In the wider sense there are 11,500 teachers in the Nova Scotia School system and of these there are 60-65 black teachers. A black teacher had been recommended following the settlement who was qualified in Math 010, Science 009, Biology 010 and Math 111. But this candidate was not interviewed, there were differences between all the parties on this applicant. The result was, the proposed candidate took a post with the New Glasgow School Board. Subsequent attempts to get this teacher failed.

One must recognize that there were feelings of reluctance present and attitudes do not change overnight. There is now one black teacher on staff and there should be a system of recruitment on an on-going basis to eradicate the sense of tokenism which exists in the minds of the black community. The problem is compounded with the fall off in school enrollment and the reduction of numbers of teachers. Black students must be encouraged and maybe even pushed to participate in more facets

of school life than sports.

In the evaluation on this item made by the Human Rights Commission appears the following statement:

"Black students allege school administration frowns upon their dating white students and that this is indicative of a fascist attitude - Black Students have also stated that they do not feel they are part of the school."

This statement was thoroughly discussed and it is clearly an issue for parents of the children involved, not the School Board; and one must be careful not to use the School Board as a scapegoat to avoid parental responsibility.

The latter statement, "Black Students do not feel that they are part of the school", is the one that all parties must address themselves to; steps must be implemented which will result in the removal of this feeling of alienation. As I have cautioned earlier this will take some time. For those students who are senior it may be too late but for those coming along through the system in the lower grades things can be done over the years which can and must result in the obliteration of such feelings.

On the matter of black representations on the School Board this is a matter for the black community to bring forth and support persons who might accept such positions.

The Board consists of six members. The School Board is the result of an agreement between the Municipality of Digby and the Town of Digby. They agreed to share the costs of operating a school which would serve the municipality and the Town. Each appoints two members to the school board.

The School Board Election Act says that one of the two shall be an elected member. The second must be a member of the municipal council; and the Governor-in-Council appoints two persons from the area.

In such a mix it is obvious that if the black community wants representation, and it should have representation it must make the waves and do the thing necessary to win such recognition. And this is an integral part of the full involvement of black students in the life and activities in the school.

Encouragement in all these areas is coming from the Black Education Association but the willingness on the part of students and parents to participate is crucial.

The fourth term of settlement reads:

"The Human Rights Commission in cooperation with the Department of Education, the School Board and the Digby local of the Nova Scotia Teachers Union shall organize a human rights conference for all students and staff of the school in the first quarter of the 1978-79 school year. Emphasis shall be given to increase communications within the total school setting."

The Human Rights Commission assumed the initiative for organizing the conference. The other parties assisted. The conference lasted the school week, October 16-20, 1978. Part of each day was devoted to regular teaching and part to human right assemblies or smaller student groupings.

The Commission supplied the resource people and the school administration took care of the scheduling. There were problems and nothing is to be gained by detailing the frustrations involved.

Questionnaires were sent out to get some feedback to make an evaluation of the conference, copies thereof with the responses are attached hereto for the subjective evaluation of the reader as a schedule to the report.

I believe there were some positive results, again, not as high as some expected. A number of lessons were learned which will be invaluable in the conduct of further such conferences.

A conclusion in the Human Rights Evaluation is indicative in gauging the success of the conference.

"students were open and interested - student panelists were well prepared - students participated in classroom discussions - many of them felt that it was a worthwhile learning experience - a large number of black students felt that the conference had helped to change students' and teachers' attitudes".

Item 6 in the Terms of Settlement reads:

"It is agreed that more emphasis should be placed on the history of Blacks and other minority groups in the school curriculum. Towards this end, the school administration will convene meetings of a curriculum advisory committee consisting of a representative of each from the School Board, Administration, the teaching staff, the Human Rights Commission, the Black Educators Association, the Nova Scotia Department of Education (Ethnic Services Division), and a Black student and a White student and another student representing another ethnic minority, the latter three being selected on the basis of academic performance. This Committee shall start functioning immediately. As an example, novels which particularly concern minority rights such as Roots, Trinity, and the Holocaust may be used in certain courses.

Six meetings have been held to date. September 20, 11 persons, October 18, 8 persons, November 22-78, 11 persons, January 25, 11 persons, April 10, 8 persons, June 5-79, six persons. There were also meetings of a sub committee consisting of Mike Langley, Jack Ritcey, Clyve Boodoosingh and Cherry Paris on February 13th and 14th.

These meetings discussed:

- 1) ethnic studies in the school program
- 2) emphasis on history of Blacks and other minority groups
- 3) resource materials and resource persons
- 4) rationale for inclusion of the program
- 5) methodology

The basic issue was whether the proposed course was to be a course in ethnic studies with the emphasis on black history and culture or a multi cultural course introducing historical and cultural perspectives from communities other than the black community.

In the final analysis the course agreed upon was that the Nova Scotia Department of Education would provide funds for a pilot program in multicultural studies known as Multicultural Studies Program. The policy of the Department of Education is to review these programs at the end of each year of operation to a maximum of three years. Modifications are made as necessary and at the end of the three year period the program is either abandoned as unworkable or incorporated into the regular school program.

The School Board has received \$1,000.00 to purchase resource materials for this program.

The concern of the Human Rights Commission with the program is that the Blacks are just another minority group in the school setting. I am satisfied that the background difficulties which lead to the program should result in an emphasis on the Black Culture.

Item No. 7 of the Settlement reads:



"The School Board, the Human Rights Commission and the Local Branch of the Nova Scotia Teachers' Union shall meet quarterly in the academic year 1978-79 and the first meeting is to be held not later than the 15th day of November 1978 to review progress made in implementing the terms of this settlement with such meetings to continue until the end of the 1978-79 school year when Judge Nathan Green or his nominee shall review the progress made in the implementation of the terms of settlement and shall file a report to be made available to the parties to the complaint."

I do not deem it necessary to deal with item #7 in depth since its subject matter, the implementation of the settlement is dealt with in this review.

Item 8 reads:

"The School Board shall make available tutorial facilities for students during the summer of 1978 and this will continue during the 1978-79 school year."

Following the settlement funds were secured from the Department of Education and summer tutorials for six weeks were organized. Mrs. Susan Balser, the administrator of the program taught English, Mr. Wayne Lincoln taught math. A back up person Bryan Amirault was available for science but there was no call for his services. The detailed report of the Human Rights Commission describes the summer tutorial program and I can do no better than to recap it in this report.

"Twelve Black students were recommended for summer tutorials - eight expressed interest in Math  
nine, English  
three, Science and  
one, History

Nine other Black students felt they would benefit from the program. All of them applied for Math and seven for English as well.

July 17, 1978 - Registration date. Of the above-mentioned 21 Black students, 14 showed up for registration but only 5 were accepted. Some reasons for rejection were:

- two had passed at modified level
- two were permitted to proceed even though teachers had recommended that tutorials would help
- one had a clear pass
- one had dropped back to Industrial Level II (but had been recommended for tutorials)
- one had lost too much time during the school year and was required to repeat all subjects.

Of the 10 White students who were recommended, 9 registered (but 2 dropped out during the first week) while one did not show up for registration.

At later dates, as a result of representations by the Commission and the Black community to the Chairman of the School Board, three more Black students were accepted bringing the total to eight.

To be eligible for registration, a student was required to have taken the course and failed the subject; was also required to have attended classes regularly during the school year.

There was to be a mid-term evaluation followed by a term-end evaluation based on tests; students were encouraged to limit to only one subject; subjects in which there was no demand were not provided for; transportation facilities were not provided for.

One Black student was suspended during the summer tutorials - this suspension was subsequently lifted after intervention by Commission. Mastery tests were prepared by the principal, not the teacher in charge of the tutorials. (The School Board members and the Liaison Committee members objected to the principal preparing the mastery test.)"

There were no tutorials in science or history. The teachers were not connected with the High School.

Mr. Haley in his evaluation says that he spent a little time with the co-ordinator prior to the start of the program and advised her about text books and curriculum goals, but had no further role.

The tutorials arranged for the 1978-79 school year was a total failure. There was a total lack of student participation. The School Board made tutorials available on a daily basis commencing at the conclusion of the regular school day. One cannot pinpoint a singular reason for this disastrous result. There are many students who need this help but the practical problems of transportation after the school buses have left must be a large factor. The School Board does not have the finances to arrange a special transportation and distances are too great and there is no local transportation and parents cannot handle it.

The black community also feels that there is a lack of sincere whole hearted effort on the part of the School Board to encourage students.

RECOMMENDATIONS

This evaluation marks the end of a first step, and must not be considered an end in itself. Indeed it must mark the beginning of a direction not only for the School Board, the Teachers, the Students but for the general community because rascism must be met on every front.

"The principles of multiracialism can only be achieved in the system with the co-operation and understanding of the entire staff. Ideally, this ethos would be reflected in the working relationships between staff members of different racial origins; in the manner in which the Board staff deals with the public, in the way school staffs deal with students both within and outside the classroom and in the way school staffs deal with visible minority parents and community groups. What is needed to ensure that the system itself does not perpetuate or encourage rascism is 'a staff sensitive to the needs, hopes and aspirations of its community and familiar with the deep and abiding meanings of its tradition, heritage and race'.

This is, of course, a mammoth task but two aspects of the educational system make it vital to success. The first is the system's role as one of the major influences in shaping the hopes and aspirations of our young people. The second is the tremendous credibility of the system itself as a model of the larger society reflecting as it does within the structure, curriculum and programs; the values and accepted order of Canadian Society."

Final Report of Sub-Committee on Race Relations, Toronto Board of Education, May 1979 at p. 47-48.

A program has been developed in New Brunswick which might with modification well serve as a model for the Digby Regional High School. "Human Rights - A Canadian Perspective", a project sponsored by the Canadian Studies Foundation created by four teachers.

John Calder, Kennebecasis Valley High School

Barry Kilpatrick, Rothesay Elementary School

Larry McPhee, Simonds High School

Ronald Vienneau, Poyyvalente Louis J. Robichaud. The project is worthy of study and adaptation in all school systems.

The task force on Human Relations submitted to the Council of Metropolitan Toronto by Walter Pitman in November 1977 under this title, "Now is Not Too Late" contains a chapter designated "The Long View: Metro's Schools" merits the consideration of every school board and teacher.

Mr. Pitman makes a number of recommendations, they are particularly pointed to the Toronto area but the problems basically are the same, it is only a matter of degree and the manner of dealing with these problems should the subject of:

- Curriculum materials be reviewed to identify materials which contain racial/ethnic bias and prejudice and materials identified as such be withdrawn and removed. This has already been done in Nova Scotia.

The body responsible for curriculum provide appropriate materials on visible and ethnic minorities in Canada to be integrated into the curriculum to provide:

- a) mention of the positive achievement of ethnic visible minority groups
- b) facets of Canadian History which reveal poor treatment of minority groups
- c) School librarians ensure that their collections include the literature of a material about ethnic/ visible minority groups
- d) the study of race and race relations be included in the social studies program in elementary schools and that a program on race relations and the history of human rights legislation be included in appropriate courses in secondary school.

#### The Media -

Because of the significances of the news media in influencing the formation of opinion, values and judgment among young people and this competition with the function of the public school systems as learning resources for the young there must be a recognition by the media of its responsibility in this area. It too must know that derogatory and discriminatory references to minority groups is to be avoided.

TUTORIALS

It is clear that a Tutorial Program is necessary. Whether or not the format followed is that in the Halifax County area for the communities of Cherry Brook, Lake Loon, East Preston and North Preston students or whether it be a type of program followed in some of the schools in Toronto where the Tutorial Program is made part of the regular program of the day schooling, is for determination by the School Board and the Department of Education. Certainly the program which had been followed to date is not satisfactory.

A suggested formal format for Tutorial Program may be the following:

- "1. Purpose                      The objectives of this program shall be:
- A. to develop the background skill deficiencies of candidates referred, to the highest level of achievement possible;
  - B. to meet each candidate at the appropriate level of achievement for future educational growth;
  - C. To accept candidates from the Digby Regional High School and its feeder schools;
  - D. to develop skills in Language Arts and Mathematics as core program, with assistance in other subjects as possible.

2. Operation

This tutorial program shall be offered by the Board of Trustees of Digby Regional High School, under the direction of the Superintendent of Schools. Required support services shall be made available through Board staff:

- A. Candidate shall conform to the following:
  - I. Teacher referrals of students not achieving in their program.
  - II. Self-referrals by students based upon their perception of a problem.
  - III. Candidates referred shall remain in the program until objectives are met or they voluntarily withdraw.
- B. Director of Tutorial Program shall upon receipt of each referral:
  - I. arrange for adequate screening of the candidate, to determine the nature and depth of the problem.
  - II. Design program objectives to meet the candidates needs.
  - III. Arrange for the student and tutor to commence work.
  - IV. Monitor the progress of each candidate.
  - V. Assist in egress from the program and advise upon appropriate programming in the school.
- C. Responsibility of parents - Upon notification by the Director/and or teacher that their child has been recommended for a tutorial program, it shall be the duty of the parents to assist the school by ensuring the student is available for tutorial instruction as required.



D. Place of Instruction:

- I. The location of tutorial instruction shall be determined by agreement between the tutor and the candidate, through the Director.
- II. If necessary, the Board of Trustees shall provide space for the tutorial program other than in the Digby Regional High School building.
- III. Location of instruction shall be in the place most advantageous to the candidate.

E. Time of Instruction:

- I. Instruction shall be given after normal school hour, either in the afternoon or early evening.
- II. Two (2) instructional periods of two (2) hour duration per week shall be the basic format, unless other arrangements are authorized by the Director.

F. Tutor for Program:

- I. Potential tutors for this program shall be licensed teachers not currently employed by the Board of Trustees of Digby Regional High School.
- II. Tutor assignment shall be the responsibility of the Director of Tutorial Program.
- III. Fees paid to tutors shall be set by the Board of Trustees of Digby Regional High School, on an hourly rate, for services performed.

3. Duration            The tutorial program shall be operative as long as a justifiable need exists and the Board has funds available to meet these demands.

#### RACIAL GUIDELINES

The Digby Regional High School has adopted the guidelines re racial incidents in schools which exists in the Toronto school system; they read as follows:

1. The Digby Regional High School Board condemns and will not tolerate any expressions of racial bias in any form by its trustees, administration, staff or students.
2. All school principals make it clear that verbal exchanges involving racially and ethnically derogatory terms are not acceptable under any circumstances and will not be tolerated.
3. In addition to formal announcements made to this effect either at student assemblies or over the school P.A. system, the principals require all teachers in all classes to formally inform their students that such verbal exchanges are not acceptable and will not be tolerated under any circumstances.
4. To emphasize the seriousness and intention of the above communications, all school staff witnessing such verbal exchanges among students, regardless of where or why they occur, intervene immediately and inform those involved of the policy of the school and the board regarding exchanges.
5. In all instances of intervention relative to the implementation of recommendation 4 above, and when the timing and circumstances of the intervention permit, the staff involved use the incident as an opportunity for a learning experience and to explain the reasons for the Board and school policy on such exchanges.
6. In the event that such exchanges involving students and/or school staff members come, by whatever means, to the attention of the school principal or other school administrator, that the staff member be informed and/or reminded of the unacceptability of his/her behaviour.

7. Racist graffiti be classed as a racial slur and a student found writing such graffiti be suitably disciplined.
8. All school principals take steps at least once each day to ensure that washrooms are kept clear of graffiti.
9. The principal of each senior and secondary school assign a school administrator or teacher to act as the race relations representative in matters involving verbal exchanges or harassments which, in the judgment of the school, are racist incidents of the nature described.
10. In such instances as indicated in recommendation 9 above, the race relations representative request the assistance of the school counselling and other student services as he or she deems necessary.
11. Any staff who intervene in such incidents as indicated in recommendation 1, seek to make the event a learning situation if immediate timing and circumstances permit.
12. The teacher or staff member involved in the incident report briefly to the race relations representative in the school.
13. For all students involved in a second incident, the race relations representative in the school arrange for a meeting with the students and their parents. The purpose of the meeting would be to explain the policy of the Board and the school on racial incidents and to seek the co-operation and commitment of the parents to prevent the students' involvement in future incidents and to explain the probable consequences if they should become involved a third time.
14. Students who become involved in incidents for a third time within the same school year may be suspended for 3 to 5 days.
15. Students returning to school after suspension be assigned an essay or project on race relations suited to their competence which is to be submitted to and kept on file by the race relations representative in the school.
16. Once a year the principal communicate to the parents in his/her community on the methods used to deal with racial matters within the school.

17. Teachers and other personnel in the school report briefly, in writing, the significant racial incidents that occur and forward such reports to the principal or a delegate.
18. All parent complaints of racial incidents between students and their resolution be recorded briefly in writing and that the parents be informed on the resolution.

It is our opinion following the hearings, representations made, that though the School Board has adopted the guidelines, it has been dilatory in putting them into practice. When adopted by the School Board these constitute a directive to the principal of the school who in turn must make it clear to his staff that the specifics set forth in the guidelines are to be followed. There has been a breakdown somewhere in the chain of command in the Digby Regional High School in so far as the emphasis to be placed by staff and administration on these guidelines is concerned. There should appear, in a public place in the school, a copy of these guidelines, not only for the principal and staff but also for students, and students must clearly understand that the manner in which racial incidents will be dealt as outlined in the guidelines will be followed by the school administration.

#### MULTI CULTURALISM IN THE SYSTEM

I am pleased to note that since this Commission came into being the Nova Scotia Teachers Union have adopted a general resolution recognizing that multi-culturalism was a dimension

with significant implications for Nova Scotia education and that a committee was struck and a final report was presented to the executive in February 1980. I think this report is extremely significant so much so that a copy of it is attached to this evaluation.

If the report is "put into effect", these are the crucial words, a program of action will result in the type of workshop and inservice session which is a corollary to the recommendations made in this evaluation.

PERMANENT LIAISON COMMITTEE

There must be a Liaison Committee. A proposed format may be the following:

1. Purpose                    The purpose of the Committee shall be to develop, encourage and enhance communications between the Board and its Black Community.
2. Committee                The Committee should be composed of seven (7) members, arrived at thusly:
  - A. Three (3) Members representing the Board of Trustees of Digby Regional High School. Composition:
    - I. Superintendent of Schools (1)
    - II. Teacher from the staff (1)
    - III. Board Member (could be a second teacher)                    (1)
  - B. Three (3) Members of the Black Community having students in the school system.

Candidates for these positions on the Committee could be chosen:

- I. From a meeting of interested parents  
or
  - II. From the current membership of  
certain Black Community groups  
presently active in the area.  
or
  - III. From a combination of I and II.
- C. A Chairman, being a person not related to either group directly, but, someone having acceptable stature with all groups, and a concern for the well being of the school.
- D. Membership on the Committee shall be for one (1) year or longer if re-appointed, except:
- I. Superintendent of Schools shall be a permanent member.
  - II. Chairman shall be appointed for two (2) years.

3. Chairman

It would be the responsibility of the Chairman to organize programs for the Committee which would further the purposes of the group. These items to be such that they are to transmit useful and meaningful information, stimulate discussion and allow for presentation of points of view, in an open and frank manner, so that, each group has an opportunity to listen and to be heard, by the other.

The Chairman would be selected at the initial meeting of the group; either by nomination from the membership, or, from a list of candidates suggested by the Divisional Inspector of Schools, whose responsibility it shall be to call and chair the first meeting of the Committee.

While each Chairman shall serve for two (2) years, selection of succeeding Chairmen shall be the responsibility of the Committee.

4. Meetings Meetings should be held at least every six (6) weeks, at a location mutually agreed upon, but, not being the Regional High School building.  
  
If during the operation of the Committee it is mutually decided that either the frequency of meetings or location should change, this should be accomplished to meet the need.
5. Duration Duration of the Committee should be of a sufficient time that its purposes are met and its continuing function mutually deemed to be redundant.
6. Observations A. Persons chosen for membership on the Committee, shall be individuals who were not actively involved in the concerns of the recent past events. The only exception shall be the position of Superintendent of Schools.  
  
B. The attitude of the individuals involved being positive, the purposes of the Committee should be productive to the educational well-being of all students at Digby Regional High School.

#### THE BLACK COMMUNITY

We have already adverted to the fact that the Black Community must play a larger role than it does in the life of the School and the Community. We now make the specific recommendation that there must be black citizen involvement and recognition. The Black Student body must and should be able to point with pride to one of "their own" in responsible positions in the life of the community.

To this end it is mandatory that black citizens take an active role in every phase of community living.

THE ROLE OF THE HUMAN RIGHTS COMMISSION

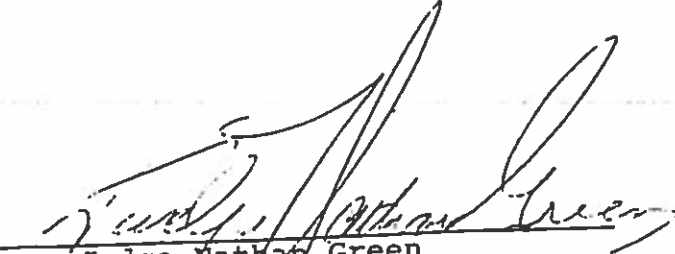
The Human Rights Commission has a very large role to play in providing assistance and encouragement in many areas where people may want to get involved but are timid. It is the watchdog and at the same time the haven for all who feel discrimination. It must encourage and at the same time protect all the elements in a multi cultural society. The Digby area falls under the umbrella of multi culturalism but as we said earlier, it is the Black Students in this particular urgency and in a wider sense the Black Community that needs immediate attention.

All that the Commission can do is to lay out guidelines which we hope, and expect, from the attitudes expressed and exhibited during this inquiry that there will be a determined effort by all parties, the parents, the students, the school administration, the principal and the teachers, the community and the media, to carry out these recommendations. One must also say that if the recommendations are simply put aside and allowed to gather dust and parties go back to the status quo then one can only predict that there will continue to be ever increasing problems which may not be resolved so readily the next time.



We want to formally thank all those persons directly and indirectly involved in this Inquiry. Some are named in the report but there were others who were consulted who are not named. In particular we wish to thank the Black Community for its patience and co-operation and expressed desire to work out in harmony answers to a common problem.

Dated at Halifax, Nova Scotia, this 23rd day of May  
A. D. 1980.



Judge Nathan Green  
Commissioner